

IVRMA TAC MEETING AGENDA |2

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|--|------------------------|
| 4. EAR REPORT DEADLINE
<i>By IVRMA Staff</i> | INFORMATION/DISCUSSION |
| 5. JURISDICTION RESOLUTIONS
For Grant/Payment Programs
<i>By IVRMA Staff.</i> | DISCUSSION |
| 6. GENERAL DISCUSSION
<i>By All.</i> | DISCUSSION |
| 7. ADJOURNMENT | <i>ACTION</i> |

The next IVRMA TAC meeting is scheduled for February 23, 2023. For questions or comments, please call Maricela Galarza at (760) 996-0972, or email me at maricelagalarza@imperialctc.org.

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL,
WESTMORLAND, AND COUNTY OF IMPERIAL**



COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.

Director

STEPHEN W. MUNDAY, M.D., M.P.H., M.S.

Health Officer

Recommendation Regarding Continued Remote Public Meetings of Governmental Entities in Imperial County.

Issued: September 29, 2021

In light of the continued state of emergency related to COVID-19, the Imperial County Health Officer continues to recommend that public bodies meet remotely to the extent possible, specifically including use of newly enacted Assembly Bill 361 to maintain remote meetings under the Ralph M. Brown Act and similar laws.

Among other reasons, this recommendation is made due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission.

The Imperial County Health Officer will continue to evaluate this recommendation on an ongoing basis, and will communicate when there is no longer such a recommendation with respect to meetings for public bodies.

DocuSigned by:

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Stephen Munday, M.D., MPH
Health Officer

**RESOLUTION OF THE IMPERIAL VALLEY RESOURCE MANAGEMENT AGENCY
AUTHORIZING REMOTE MEETINGS IN ACCORDANCE WITH THE PROVISIONS
OF STATE ASSEMBLY BILL 361.**

RESOLUTION NO. _____

WHEREAS, the County of Imperial is committed to preserving and nurturing public access and participation in meetings of the Imperial Valley Resource Management Agency and other public meetings subject to the Ralph M. Brown Act (“Brown Act”); and

WHEREAS, with the adoption of State Assembly Bill 361 (“AB 361”), section 54963(e) of the California Government Code was amended to make provisions for remote teleconferencing participation in meetings by members of a local legislative body, without compliance with the requirements of 54953(b)(3) of the California Government Code, subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to section 8625 of the California Government Code, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in section 8558 of the California Government Code; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under 8625 of the California Government Code, that a state of emergency exists with regard to the novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021, did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to section 8629 of the California Government Code to lift the state of emergency, either by proclamation or by concurrent resolution in the State Legislature; and

WHEREAS, the Local Health Officer for the County of Imperial has recommended that the local legislative bodies that are subject to the Brown Act continue to meet remotely when possible, and that social distancing continues to provide a means by which to reduce the transmission of COVID-19; and

WHEREAS, Imperial Valley Resource Management Agency believes that it is in the best interest of the public to continue holding remote meetings during the existing state of emergency in accordance with the requirements of AB 361.

NOW, THEREFORE, the Imperial Valley Resource Management Agency resolves as follows:

- (1) The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
- (2) A proclaimed state of emergency exists as a result of the COVID-19 pandemic.
- (3) The Local Health Officer recommends that all local legislative bodies local legislative bodies that are subject to the Brown Act continue to meet remotely when possible, and that social distancing continues to provide a means by which to reduce the transmission of COVID-19
- (4) The staff of the Imperial Valley Resource Management Agency are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including implementing social distancing measures at meetings and conducting meetings in accordance with section 54953(e) of the California Government Code, and other applicable provisions of the Brown Act.
- (5) This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Imperial Valley Resource Management Agency takes action to extend the time during which it may continue to meet remotely without compliance with section 54953(b)(3) of the California Government Code.

PASSED AND ADOPTED by the Imperial Valley Resource Management Agency, County of Imperial, State of California, this 26th of January of the year 2023, by the following roll call vote:

Agency	Yes	No	Abstain	Absent
Brawley				
Calexico				
Calipatria				
El Centro				
Holtville				
Imperial				
Westmorland				
County of Imperial				
County of Imperial				

IVRMA TAC Chairperson

ATTEST:

MARICELA GALARZA
IVRMA Project Manager



January 4, 2023

To: Local Jurisdictions

Subject: Organic Diversion Implementation Update

We would like to thank you for your continued commitment to California's fight against climate change through the reduction of methane emissions from organic waste.

2022 was a productive year with notable successes in the implementation of the SB 1383 (Lara, Chapter 395, Statutes of 2016) regulations. 417 jurisdictions are reporting deployed residential food waste collection and nearly all jurisdictions have new or expanding edible food recovery programs as well as expanding commercial food collection and recycling programs.

However, despite the progress, new focused efforts are needed. The 2021 State of Disposal and Recycling Report records that Californians disposed of 41 million tons of waste, over half of which (21 million tons) was organic waste. Not only has California not achieved the 2020 statutory target for 50% reduction in organic waste below the 2014 baseline, but we are also now disposing at a rate nearly 1 million tons above the baseline.

Continued dedication to implementation will be critical to achieve the necessary reduction in waste to meet our climate goals.

CalRecycle provided an overview of the compliance process in webinars and published a [factsheet](#) available on the SB 1383 webpage. CalRecycle has begun its review of jurisdictions and is starting its prioritization of compliance evaluations.

As CalRecycle begins its review, we would like to provide an update on the compliance evaluation process and what to expect in the coming months.

First, CalRecycle is committed to providing assistance to jurisdictions. CalRecycle will continue hosting webinars to facilitate peer-matching and share creative approaches for meeting the requirements and achieving the statewide targets. CalRecycle staff will continue to meet with each jurisdiction to provide guidance and discuss strategies for the jurisdiction to help to better ensure compliance. AB 1985 (Rivas, Chapter 344, Statutes of 2022) goes into effect January 1, 2023, and the Department will continue supporting jurisdictions in understanding their procurement targets and creating strategies to meet them.

Second, CalRecycle will begin conducting compliance evaluations in the coming months. Every jurisdiction will receive a compliance evaluation within four years (PRC section 41821 (h)). The elements that could lead to prioritization of jurisdictions for a compliance evaluation sooner during the four-year period include:

- Failure to develop an ordinance or other enforceable measures to support SB 1383 program implementation,
- Failure to submit reports to CalRecycle which were due April 1, 2022, and October 3, 2022,
- Failure conducting capacity planning, and/or
- Failure to fully comply with AB 341 and AB 1826 as discussed above.

Third, CalRecycle will notify a jurisdiction prior to conducting a compliance evaluation. The steps for a compliance evaluation are outlined in 14 CCR Section 18996.1. Specifically, a compliance evaluation may include, but is not limited to:

- Reviewing the annual report information (see 14 CCR Sections 18994.1 and 18994.2),
- Reviewing the Implementation Record (see 14 CCR Section 18995.2),
- Conducting field inspections, and
- Reviewing the enforceable ordinance(s).

Upon completion of the compliance evaluation, CalRecycle will provide the jurisdiction with written findings. CalRecycle continues to focus on providing guidance, and will provide early identification of concerns, and communication of issues while evaluating a jurisdiction's compliance with the SB 1383 requirements before taking enforcement action.

California is experiencing the effects of a climate crisis now. CalRecycle understands there are many competing priorities facing jurisdictions. Implementation of SB 1383 reduces methane emissions, redirects edible food currently from disposal to Californians, and creates valuable commodities such as compost, mulch, and renewable energy. The evolution of waste management requires collaboration at all levels of government and across industries, and CalRecycle is proud to work with local jurisdictions in establishing a circular economy for organics. Please contact your Local Assistance and Market Development (LAMD) representative if you have any questions or require assistance. The LAMD representative assigned to each jurisdiction can be found here <https://www2.calrecycle.ca.gov/LGCentral/Contacts/>.

Sincerely,

Rachel Machi Wagoner

Rachel Machi Wagoner
Director

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SB 1383: Planning Checklist for Organic Waste

Planning Period: Jan 1, 2022—Dec 31, 2024



Article 11. Organic Waste Recycling Capacity Planning Section 18992.3. Schedule For Reporting Section 18992.1. Organic Waste Recycling Capacity Planning

Timeline	Tasks & Milestones	✓
Start in 2021 (through Jan 2022)	Jurisdictions to consult with haulers and owners of facilities, operations, and activities that recover organic waste to gather information on the existing organics recycling capacity available to their jurisdiction. This shall include LEA's and community composters. <i>Facilities must reply to request from jurisdictions within 60 days of request</i>	
	Jurisdictions to estimate organic waste tons to be disposed in your jurisdiction (CalRecycle Tool).	
	Jurisdictions to identify the amount of existing, new, and expanded organic waste recycling infrastructure in tons, verifiably available to that city . <i>This shall include consultation with community composters, LEA's, haulers and owners of facilities, operations, and activities that recover organic waste.</i>	
	Jurisdictions to conduct community outreach regarding locations being considered for new or expanded facilities to seek feedback on benefits or impacts that may be associated with new or expanded facilities.	
	Jurisdiction to obtain verification of available capacity. This can be a contract, franchise, or other documentation of existing, new, or expanded capacity at a facility, activity, operation or property that recovers organic waste that will be available to the jurisdiction (County will request verification of this capacity).	
2/11/2022	County to send formal request to jurisdictions for organics facilities capacity available to their jurisdiction. <i>(Jurisdictions have 120 days to respond to the County's request).</i>	
6/11/2022	Jurisdictions <u>deadline</u> to submit estimated organics disposal and available organics processing to County.	
6/11/2022 through 7/30/2022	County collects and aggregates disposal and capacity data received from jurisdictions. County reports surplus or lack in capacity by jurisdiction as supplied by jurisdiction. <i>If there is excess food donation capacity, this can be added to total organics capacity.</i>	
	If a county finds that new or expanded capacity is needed then on or before the County submits the report required, the County shall notify the jurisdiction or jurisdictions that they lack sufficient capacity.	
8/1/2022	County to submit report of surplus or lack of capacity to CalRecycle & reports jurisdictions that did not provide required capacity data.* <i>*the County is not required to include estimates for that jurisdiction in the report it submits pursuant to Section 18992.3.</i>	
11/29/2022 1	Implementation Schedule Due to CalRecycle, if lacking capacity. If the County reports that a jurisdiction is lacking capacity, jurisdiction must submit implementation schedule to CalRecycle (within 120 Days of County report submittal) demonstrating how it will ensure there is enough organics processing capacity (this will include time-lines and milestones for funding, identification of new facilities in the county).	

Supplemental Information

Planning Description

For both capacity planning efforts, counties are responsible for:

- Collecting capacity planning information from each jurisdiction within the county
- Submitting the capacity planning report to CalRecycle
- Identifying any jurisdiction, including itself, that does not have enough verified existing, planned, or new capacity
- Informing jurisdictions that lack capacity about the timeline for submitting the implementation schedule to CalRecycle

Jurisdictions, including counties, are responsible for:

- Estimating organic waste disposal within the jurisdiction
- Identifying the amount of existing capacity, located both in the county and outside of the county, that is verifiably available
- Estimating the amount of new or expanded capacity that will be needed
- Consulting with various entities throughout the planning process
- Submitting an implementation schedule to CalRecycle when they lack capacity

Note: Jurisdictions exempt from organic waste collection requirements are not required to include capacity plans in the first reporting period (see Section 18992.3).

Future Capacity Planning Periods	County Report Date to CalRecycle
January 1, 2025 through Dec 31, 2034	August 1, 2024
January 1, 2030 through Dec 31, 2039	August 1, 2029
January 1, 2035 through Dec 31, 2035	August 1, 2034
<i>Due dates to County to be determined for future planning periods</i>	

Resources

[CalRecycle Capacity Planning](#)

[CalRecycle Organics Planning](#)

[Organic Waste Recycling Capacity Planning Calculator](#)

[County of San Diego Organics Capacity Planning Document 2020-2021](#)


SB 1383: Planning Checklist for Edible Food Recovery

Planning Period: Jan 1, 2022—Dec 31, 2024

Article 11. Organic Waste Recycling Capacity Planning

Section 18992.2. Edible Food Recovery Capacity

Section 18992.3. Schedule For Reporting

Timeline	Tasks & Milestones	
Start in 2021 (through Jan 2022)	Jurisdictions to identify Tier 1 and Tier 2 generators within jurisdiction boundary.	
	Jurisdictions to estimate the amount of edible food that will be disposed by commercial edible food generators that are located within jurisdiction boundary. (CalRecycle or County Tool)	
	Jurisdictions to identify existing capacity at food recovery organizations that is available to commercial edible food generators located within jurisdiction boundary. <i>Although County and SDFSA are leading this effort, jurisdictions to provide follow up support.</i> <i>(Food recovery organizations contacted by a jurisdiction shall respond to the jurisdiction within 60 days regarding available and potential new and expanded capacity).</i>	
	Jurisdictions to identify (in addition to existing capacity) any proposed new and/or expanded food recovery organizations and food recovery services that will be used to recover edible food.	
2/11/2022	County to send formal request to jurisdictions for edible food recovery capacity info listed above. <i>(Jurisdictions have 120 days to respond to the County's request)</i>	
6/11/2022	Jurisdiction <u>deadline</u> to submit capacity info due to County.	
6/11/2022 through 7/30/2022	County aggregates disposal and capacity data received from jurisdictions. County reports surplus or lack in capacity to CalRecycle.	
	If the County finds that new or expanded capacity is needed, the County shall notify the jurisdiction (s) that lack sufficient capacity.	
8/1/2022	County submits aggregated data to CalRecycle & reports surplus or lack of capacity. County also reports any jurisdiction that did not provide necessary information to comply with requirements within 120 days.*	
11/29/2022	Implementation Schedule Due to CalRecycle If a jurisdiction is lacking capacity, jurisdiction submits implementation schedule due to CalRecycle (within 120 Days of 8/1) demonstrating how it will ensure there is enough edible food recovery capacity (this will include timelines and milestones for funding, identification of new facilities in the county) <i>*the County is not required to include estimates for that jurisdiction in the report it submits pursuant to Section 18992.3.</i>	

Supplemental Information

Planning Description

Counties, in coordination with jurisdictions located in the County, shall conduct edible food recovery capacity planning by:

- a) Estimating the amount of edible food that will be disposed by Tier 1 & 2 food generators in their jurisdiction.
- b) Identifying existing capacity at food recovery organizations that is available to Tier 1 & 2 food generators located within the county and jurisdictions within the county.
- c) Identifying proposed new or expanded food recovery organizations and food recovery services that will be used to recover edible food.
- d) Identify the amount of new or expanded capacity, if any, at food recovery organizations and food recovery services that are necessary to recover the edible food that is estimated to be disposed by Tier 1 & 2 food generators*.

After the County receives estimated disposal and food recovery capacity from jurisdictions, the County then determines if existing, new, or planned edible food recovery capacity is insufficient for one or more jurisdictions needs, notifies jurisdiction(s); then, jurisdictions shall submit an implementation schedule to CalRecycle demonstrating how capacity will be secured by the end of the reporting period.

** In 2021, County and SDFSA will be leading a regionwide capacity survey. Data will be provided back to jurisdictions.*

Future Capacity Planning Periods	County Report Date to CalRecycle
January 1, 2025 through Dec 31, 2034	August 1, 2024
January 1, 2030 through Dec 31, 2039	August 1, 2029
January 1, 2035 through Dec 31, 2044	August 1, 2034
<i>Due dates to County to be determined for future planning periods</i>	

Resources
CalRecycle Food Recovery for Jurisdictions
Guidance for Jurisdictions: How to Identify Commercial Edible Food Generators
CalRecycle Capacity Planning
Recovery Capacity Planning Calculator Tool
Guidance Document: Estimating Edible Food Disposed by Mandated Food Donors
County of San Diego Edible Food (Disposal & Recovery) Estimator for Tier 1 & 2 Generators

CAPACITY PLANNING REPORT

ORGANIC WASTE RECYCLING CAPACITY

Estimated organic waste for landfill disposal (tons)	Organic waste recycling capacity verifiably available (tons) □	Needed organic waste recycling capacity (tons)	Have the county, including cities, special districts, and Regional Agencies within the county, identified any proposed new or expanded recycling facilities that could be used to process the jurisdictions' generated organic waste?	Identify the locations for new or expanded facilities that may be used to process the generated organic waste from the county, including cities, special districts, and Regional Agencies within the county	Identify each jurisdiction within the county that is required to submit an implementation schedule due to insufficient organic waste recycling capacity	Identify each jurisdiction that did not provide any information regarding organic waste recycling capacity to the county within the required 120-day timeframe
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EDIBLE FOOD RECOVERY CAPACITY

Estimated edible food for landfill disposal (tons)	Edible food recovery capacity verifiably available (tons)	Needed edible food recovery capacity (tons)	Have the county, including cities, special districts, and Regional Agencies within the county, identified any proposed new or expanded edible food recovery organizations or edible food recovery services that could be used to recover the generated edible food that would otherwise be disposed in the county, including cities, special districts, and Regional Agencies within the county?	Identify the locations for new or expanded edible food recovery organizations or edible food recovery services that may be used to recover the generated edible food that would otherwise be disposed in the county, including cities, special districts, and Regional Agencies within the county	Identify each jurisdiction within the county that is required to submit an implementation schedule due to insufficient edible food recovery capacity	Identify each jurisdiction that did not provide any information regarding edible food recovery capacity to the county within the required 120-day timeframe
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